



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/579,399

05/25/2000

Christopher E. Pearce

062891.0408

7429

5073

7590

06/26/2007

BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER

HARPER, KEVIN C

ART UNIT

PAPER NUMBER

2616

NOTIFICATION DATE

DELIVERY MODE

06/26/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mike.furr@bakerbotts.com
ptomail1@bakerbotts.com

Office Action Summary

Application No.

09/579,399

Applicant(s)

PEARCE, CHRISTOPHER E.

Examiner

Kevin Harper

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-5,7-9 and 12-63 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-9,12,13,17-19,21,22,24-33,36-38,40,41,43-46,48,49,51-54,56,57 and 59-63 is/are rejected.
- 7) ☒ Claim(s) 14-16,20,23,34,35,39,42,47,50,55 and 58 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/06, 2/07</u> . | 6) <input type="checkbox"/> Other: ____ |


In view of the appeal brief filed on January 2, 2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.



LYNN FEILD
SUPERVISORY PATENT EXAMINER

Response to Arguments

Applicant's arguments filed January 2, 2007 have been fully considered but they are not persuasive.

1. Applicant argued that Oran does not disclose a dialing partition table. However, in Oran a dialing partition table is the database that contains telephone numbers that may be called (fig. 2A, item 32; col. 3, lines 49-51). Applicant notes that the dialing partition of the present invention includes telephone numbers for routing a call to a destination telephone, where the telephone numbers may include wildcards (specification, page 61, lines 10-20). The database 32 of Oran is equivalent to the claimed dialing partition because it includes telephone numbers with

Art Unit: 2616

wildcards in order to route a telephone call based on the location of the originating and destination telephones (col. 6, lines 56-64; fig. 4, item 44; col. 5, lines 20-67).

2. Applicant argued that Oran does not disclose a partition search space. In the specification of the instant application on page 61, lines 22-26, a partition search space represents the available dialing partition for the telephone. Therefore, because Oran provides a database 32 in association with a telephone, the dialing partition is the partition search space for the telephone. Examiner pointed out in the previous response to arguments that a partition search space in Oran consists of only one dialing partition table (col. 3, lines 48-53 and 56-60; col. 5, lines 25-28). Applicant has not claimed enough details of the partition search space to distinguish from Oran (e.g., the partition search space including more than one dialing partition, or the partition search space including the name(s) of the dialing partition(s)). Therefore, the partition search space of Oran is equivalent to the partition search space as described in the specification on page 61, lines 22-26 by providing dialing scheme with wildcard numbering for a telephone (col. 5, lines 25-28; note: only one numbered digit is used to route calls in the example mentioned in this passage of Oran). The dialing partition is accessed based on the partition search space (col. 3, lines 56-63) because the partition search space of the telephone only includes the single dialing partition.

3. Applicant argued that Oran does not disclose dialing partition tables based on a first and second organization. However, in fig. 5, PBX site A and PBX site B are organizations of a company (col. 5, lines 30-33). Each PBX has a different dialing partition table (col. 5, lines 41-45; note: the best PBX is chosen based on the destination of a call; fig. 1, items 20).

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5, 7-9, 12-13, 17-19, 21-22, 24-33, 36-38, 40-41, 43-46, 48-49, 51-54, 56-57 and 59-63 are rejected under 35 U.S.C. 102(e) as being anticipated by Oran (US 6,275,574).

4. Regarding claims 1, 28, 36, 45, 53 and 56, Oran discloses a method of routing calls using dialed number (digit) partitions (fig. 2a; fig. 3, item 32; col. 5, lines 40-50). The method comprises receiving a call request at a call manager (fig. 1, item 18 or 28) from a first device coupled to a packet based network (fig. 1), accessing a dialing partition table based on a partition search space associated with the first device (col. 5, lines 40-50; note: the partition search space for a telephone contains only one dialing partition), determining a routing target associated with a telephone number (col. 5, lines 40-46), and communicating the call request to the routing target (col. 6, lines col. 6, lines 56-67). Further regarding claim 45, the method is inherently performed using software (fig. 1, item 18, 26 and 28).

5. Regarding claims 2-5 and 29-32, non-IP telephony devices (fig. 1, item 14) utilizing a gateway (item 18) and IP telephony devices (item 24) are in the network.

6. Regarding claims 22, 41, 49 and 57, a best phone number match is found for routing (col. 6, lines 56-67).

7. Regarding claims 7-9, 18-19, 21, 24, 37-38, 40, 43, 48, 51, 59 and 62-63, the dialing partition represents local numbers or long distance numbers allowed for the telephone (fig. 5; col. 5, lines 30-35; note: entering a "6" directs calls to the local site PBX A, while pressing a "2" directs calls to the local site PBX B; note: "a "9" directs the call based on the best routing - col. 5, lines 41-45 - which includes VOIP routing through a gateway).

Art Unit: 2616

8. Regarding claims 12-13, 17, 33, 46, 54 and 61, there are several dialing partitions (fig. 1, items 20; fig. 5), one for each organization (col. 5, lines 30-40).

9. Regarding claims 25-27, 44, 52 and 60, the telephone number is modified based on the routing target (col. 7, lines 44-46) with additional or less area code digits (col. 6, lines 44-50 and 59-65).

Allowable Subject Matter

10. Claims 14-16, 20, 23, 34-35, 39, 42, 47, 50, 55 and 58 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

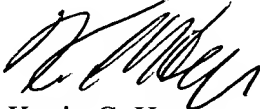
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached at 571-272-2092. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For

Art Unit: 2616

more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Kevin C. Harper', is positioned above the printed name.

Kevin C. Harper

June 3, 2007